

## Domestic Violence Act for divorced women too

The Supreme Court upheld a Rajasthan High Court order.

The Domestic Violence Act — meant to punish men who abuse women in a relationship — extends to all man-woman relationships, and also protects divorced women from their former husbands, the Supreme Court has upheld.

A three-judge Bench of Justices Ranjan Gogoi, R. Banumathi and Naveen Sinha confirmed a Rajasthan High Court ruling of 2013 that the term ‘domestic violence’ cannot be restrained to marital relations alone.

The Supreme Court’s recent order, based on a question of law raised by advocate Dushyant Parashar, found no reason to differ with the High Court’s conclusion that ‘domestic relationship’ includes “consanguinity, marriage, a relationship in the nature of marriage, adoption or as family members living together as a joint family”.

### Not confined

The apex court did not intervene with the interpretation that ‘domestic relationship’ is not confined to the “relationship as husband and wife or a relationship in the nature of marriage, but it includes other relationship as well such as sisters, mother, etc.”.

“Domestic relationship includes any relationship between two persons who either live at the present moment or have at any point of time in the past lived together in a shared household... Absence of subsisting domestic relationship in no manner prevents the court from granting certain reliefs specified under the Act,” the High Court’s reasoning was upheld by the Bench.

The court held that domestic violence can continue even after divorce and the reach of the Act should not be shackled by confining only for the protection of women living in marriage. It illustrated how a divorcee husband could resort to violence by entering the workplace of his former wife to commit an act of violence, or even attempt to communicate with her, or threaten or cause violence to her relatives or dependents or any other person. It amounts to domestic violence if the former husband tried to dispossess the woman from a jointly-owned property or refuse to return her ‘stridhan’ or valuable security or other property. The Act brings all these acts of violence within its ambit.

END

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